

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1232

AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 31-37-3-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3.5. (a) It is a defense to a violation under this chapter that the child was emancipated:

- (1) under IC 31-37-19-27 or IC 31-6-4-15.7 (before its repeal);
- (2) by virtue of having married; or
- (3) in accordance with the laws of another state or jurisdiction; at the time that the child engaged in the prohibited conduct.

(b) It is a defense to a violation under this chapter that the child engaged in the prohibited conduct while:

- (1) accompanied by the child's parent, guardian, or custodian;
- (2) accompanied by an adult specified by the child's parent, guardian, or custodian;
- (3) participating in, going to, or returning from:
 - (A) lawful employment;
 - (B) a school sanctioned activity;
 - (C) a religious event;
 - (D) an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;
 - (E) an activity involving the exercise of the child's rights protected under the First Amendment to the United States Constitution or Article 1, Section 31 of the Constitution of the

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State of Indiana, or both, such as freedom of speech and the right of assembly; or

(F) an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults; ~~or~~

(4) participating in an activity undertaken at the prior written direction of the child's parent, guardian, or custodian; or

~~(4)~~ **(5) engaged in interstate or international travel from a location outside Indiana to another location outside Indiana.**

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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HEA 1232 — Concur+

